

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

Debtors.

Case No. 08-13555 (SCC)

**[Proposed] Order**

**ORDER GRANTING MOTION OF RMBS TRUSTEES  
TO EXTEND THE OVERALL CLAIM FILE CUT-OFF DATE  
FOR CERTAIN LOANS UNDER THE PROTOCOL ORDER AND RELATED RELIEF**

**WHEREAS**, this Court entered that Order Establishing a Protocol to Resolve Claims Filed by Trustees on Behalf of Certain Issuers of Residential Mortgage-Backed Securities on December 29, 2014 (ECF 47569) (the “*Protocol Order*”) which established a protocol for allowance of certain claims of U.S. Bank National Association, Law Debenture Trustee Company of New York, Wilmington Trust, National Association and Deutsche Bank National Trust Company, each not individually but as Trustee or Separate Trustee (collectively the “*RMBS Trustees*”);<sup>1</sup>

**WHEREAS**, the Protocol Order established a protocol (the “*Protocol*”) under which the RMBS Trustees must complete their review of loan files and assert claims by March 31, 2016 (as further defined in the Protocol Order, the “*Overall Claim File Cut-Off Date*”);

**WHEREAS**, the RMBS Trustees have worked diligently to date to meet the deadlines set forth in the Protocol but have not been able to obtain all loan files and documents subject to the Protocol to review and assert claims;

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<sup>1</sup> Capitalized terms not defined herein shall have the meanings ascribed in the Motion (as defined below).

**WHEREAS**, pursuant to that Status Report of the RMBS Trustees' With Respect To Compliance With The Protocol And Motion To Extend The Overall Claim File Cut-Off Date for Certain Loans Under The Protocol Order (the "*Motion*"), the RMBS Trustees request that the Protocol Order be amended such that the Overall Claim File Cut-Off Date be extended from March 31, 2016 to May 31, 2016 solely with respect to Remaining Covered Loans, as defined in and listed on Exhibit A to the Motion, to allow the RMBS to obtain and review outstanding loan files; and

**WHEREAS**, due notice of the Motion being given, and after due deliberations and hearing, it is now hereby:

**ORDERED**, that the Motion is granted; and it is further

**ORDERED**, that the Protocol Order is hereby amended such that the Overall Claim File Cut-Off Date, as defined in Section III(d)(iii) of Exhibit A of the Protocol Order, is extended from March 31, 2016 to May 31, 2016 solely with respect to Remaining Covered Loans; and it is further

**ORDERED**, that (i) the RMBS Trustees shall not be entitled to assert any RMBS Claims (for Covered Loans or otherwise) under the Protocol Order not already submitted pursuant to the Protocol Order by March 31, 2016, other than RMBS Claims that they may determine to submit under the Protocol Order prior to the extended Overall Claims Cut-Off Date solely with respect to the Remaining Covered Loans, and (ii) as provided in Section III(d)(iii) of Exhibit A of the Protocol Order, any such RMBS Claims shall be deemed waived and released by the RMBS Trustees and disallowed and expunged upon entry of this Order; and it is further

**ORDERED**, that, except as set forth in the immediately preceding decretal paragraph, this Order is without prejudice to (i) any rights of the RMBS Trustees to petition this Court for

further relief with respect to the Protocol Order, and (ii) the rights of the Debtors to take any position with respect to any such request; and it is further

**ORDERED**, that notwithstanding any other provision of this Order, this Order is without prejudice to the rights of any of the parties in the Green Point Adversary, including any right to seek or contest the application of the Protocol Order and/or Protocol to the loans which are the subject of the Green Point Adversary; and it is further

**ORDERED**, that, except as expressly amended hereby, the Protocol Order, as entered, remains in full force and effect; and it is further

**ORDERED**, that this Court shall have jurisdiction to hear and determine any and all matters, claims or disputes arising from or relating to this Order.

Dated: New York, New York  
March \_\_\_\_\_, 2016

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Honorable Shelley C. Chapman  
United States Bankruptcy Judge